UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,963	10/31/2000	Gary C. Hess	2	8994

46363	7590	09/06/2005	**EXAMINER**

MOSER, PATTERSON & SHERIDAN, LLP/
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KERVEROS, JAMES C

ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/702,963	HESS, GARY C.
	Examiner	Art Unit	
	JAMES C. KERVEROS	2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _23 June 2005_.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,4,5,7-14 and 16-38_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1,4,5,7-14 and 16-38_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _01 April 0402_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is a FINAL Office Action in response to AMENDMENT filed 6/23/2005, in reply to the Non-Final Office Action dated 4/29/2005.

Claims 1-38 have been examined. Claims 2, 3, 6 and 15 have been cancelled. Claims 1, 4, 5, 7-14 and 16-38 are still pending.

Response to Arguments

Applicant's arguments filed with AMENDMENT 6/23/2005, with respect to claims 1, 4, 5, 7-14 and 16-38, have been fully considered but are moot in view of the new grounds of rejection. In response to Applicant's argument, Boughner discloses "a model of a computer component object behavior", such as a graphical user interface program (GUI) 219, Figure. 2.

Claims 1, 4, 5, 7-14 and 16-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Boughner et al. (U.S. Patent No. 5,983,001), as set forth in the present Office Action, below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent,

except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 5, 7-14 and 16-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Boughner et al. (U.S. Patent No. 5,983,001).

Regarding independent Claims 1, 11, 19, 27, 35, Boughner discloses a method and system for facilitating the automatic creation of test scripts, Figures 1-6, comprising:

Obtaining stimulus values, such as inputting an event description protocol containing information related to an event, an object, and a location description, into a test script generator 235, Figure 6. Also, see steps (503, 505. 507, 509), Figure 5. Furthermore, Boughner discloses obtaining "a model of a computer component object behavior", such as a graphical user interface program (GUI) 219, Figure. 2.

Converting the stimulus values and the (GUI) program using test script generator 235, which receives converted information of an object and creates appropriate test script commands. The test script generator reads the information out of a buffer and translates the information into a (TCL) script. In step 511, the routine converts the information it has gathered so far into a format that can be used by the test script generator 235. In step 513 the interposed .sub.-- XEnq routine sends the converted information back to the test script generator 235, where the information is used to create appropriate test script commands, Figure 6.

Converting the model of (GUI) program by entering a "capture" mode that automatically creates a test script based on user inputs entered during the capture

mode. In response to the request to enter the capture mode, the GUI program 219

sets up a one-way connection (not shown) from the GUI program 219 to the test script

generator 235.

Regarding Claims 4, 12, 20, 33, Boughner discloses tester input (device 203) to

input information, when a user takes an action on the GUI 209 using the input device

203. The operating system 233 captures this input, determines that it was initiated on

the GUI 209, and sends the input to the display server 217 for processing, which

examines the input, determines what action was taken on the GUI 209, and creates a

corresponding event, Figure 2.

Regarding Claims 5, 13, 21, 29, Boughner discloses a "model of a computer

component object behavior", which corresponds to a graphical user interface program

(GUI) 219, Figure. 2. With respect to claimed limitation of a "model of a computer

component object behavior", in addition, Boughner discloses, Figure 1, a prior art

testing method, which simulates input events (such as mouse clicks) in order to test the

same data processing paths that are invoked in response to actual user input. In

particular, the prior art testing method invokes the test script 119, which contains

commands that instruct the GUI program 101 to generate a simulated event. For

example, a test script command may instruct the GUI program to create an event

simulating a user's "double-lick" in a button on a graphical user interface ("GUI") 120.

When the GUI program completes its processing of the simulated event, the method

saves the current state of the GUI 120 (a.k.a., saving a "snapshot" of the GUI).

Regarding Claims 7, 34, Boughner discloses converting stimulus values, using test script generator 235, which receives converted information of an object and creates appropriate test script commands. The test script generator reads the information out of a buffer and translates the information into a (TCL) script.

Regarding Claims 8, 14, 16, 22, 24, 28, Boughner discloses a computer 201, which executes the test script according to the flow diagram, as shown in Figure 5, using test script generator 235, Figure 2.

Regarding Claims 9, 10, 17, 18, 25, 26, Boughner discloses the results are generated in a computer network (200) that includes the computer component (201) in response to the executed test script, using test script generator 235.

Regarding Claim 23, Boughner discloses generating test script in response to the system and the testing requirements, using test script generator 235, which receives converted information of an object and creates appropriate test script commands. The test script generator reads the information out of a buffer and translates the information into a (TCL) script.

Regarding Claims 31, 32, 37, 38, Boughner discloses a computer component object, such as graphical user interface (GUI) 209.

Regarding Claim 30, 36, Boughner discloses wherein the object behavior of a graphical user interface (GUI) 209 is the computer component object behavior, Figure 2.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES C. KERVEROS whose telephone number is (571) 272-3824. The examiner can normally be reached on 9:00 AM TO 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JAMES C KERVEROS
Examiner
Art Unit 2133

By: _____

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Date: 23 August 2005
Office Action: Final Rejection
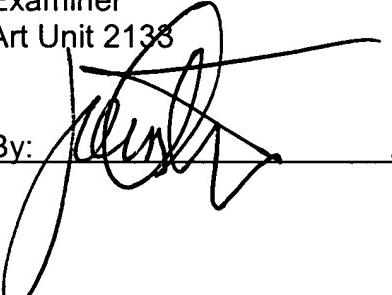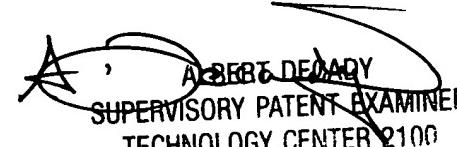
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